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THE PROBLEM OF THE OLD CITY HOUSE

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The problem of the old city house is one of the most baffling with which housing workers have to deal. Not only does the old house often present financial and structural difficulties which are serious enough in themselves, but it offers to those who would remove its baneful influence legal obstacles and puzzles in community psychology. The old house is an inheritance from a past generation, but unlike the easels that adorned its parlor in the days of its prime, it can not be put away in an attic and forgotten until some iconoclast discovers it and to the relief of every one casts it into the fire. It stays where it was built, obstinately immovable, for it usually remains a source of profit long after it has outlived the purpose for which it was erected.

The old house becomes a problem in three ways: it is permitted to run down until it individually becomes a detriment to the community, or the character of the neighborhood changes and the house—though perhaps individually up to standard—becomes less desirable as a residence, or housing standards are raised and the old house is no longer considered satisfactory. The first method of creating the problem is usually due directly to an individual owner or series of owners, the second to community changes often due to the migration of the wealthy to more fashionable districts, but not infrequently caused by lack of foresight in city planning, the third to rising standards that accompany increased knowledge of the effect of living conditions upon morals, health and efficiency.

If the houses of a city were like the tents of an army, inexpensive, easily removable, and the property of an organization interested primarily in the well-being of the people they shelter, the problem would virtually cease to be a problem. For then unwholesome houses would be scrapped as ruthlessly as antiquated machinery, the owners of which find that new and improved machinery is more economical. Were only the third of these operative the time is nearly come when such houses would be scrapped. Company

houses in the past have had a bad reputation. Whatever may be said against them on other scores, company houses are today, and will be increasingly in the future, made not only sanitary but home-like. Wide-awake employers have begun to see the advantages gained during the past by a few of their leaders who realized that it is as important, from a business standpoint, that their workers have good dwellings as that they have good tools.

This being granted the solution of the problem may seem obvious. But obvious answers usually are not the right ones, especially in the solution of social problems where it is so difficult to gather in all the premises upon which a conclusion may be safely based. The problem of the old house is due chiefly to leaving what are in great measure matters of community concern almost entirely in the hands of individuals. It is not to be solved by putting entirely into the hands of the community things that are largely matters of individual concern. Rather the solution is to be worked out by changing the emphasis. Moreover the emphasis must be different for two distinct classes of old houses; those we have now, the product of the *laissez-faire* policy of the past, and those we shall have with us in the future, the product, we hope, of a more intelligent, foresighted policy in city building. For we shall always have old houses, houses that have outlasted the purpose for which they were erected.

First, then, what shall we do with the old houses of the present? As a basis for the argument let us state that it is the duty of the community to safeguard the morals, health and efficiency of its members. For without these of what value are "those self-evident truths, those unalienable rights to life, liberty and the pursuit of happiness?" It is to promote these that we open parks and playgrounds, establish recreation centers and do a thousand and one other things for which the founders of the republic prepared us when they told the world why we should be an independent nation. Merely to safeguard these we must see that our people have wholesome homes in which to live. It is then the duty of the community to set standards below which homes may not fall, and to raise the standards as increasing knowledge shows that higher standards are practicable and are for the public good.

Such a policy will, in individual instances, entail hardship. The widowed and orphaned owners of watered stock who figured so conspicuously a few years ago have their counterparts in widowed and

orphaned owners of unwholesome dwellings. They should have sympathy and consideration. So should the man who has invested his small savings in real estate, ignorant of the fact that the successful management of real estate calls for financial resources and for as much knowledge and skill as do most other trades or professions. But our sympathy should not blind us to the fact that far more important both to individuals and to the community than the financial cost to owners are the lives and the health of those who dwell in the houses. And our consideration should not extend beyond the point of making compliance with the established standards as easy as possible.

When the deterioration of a house is due to the owner, even when he can plead poverty as an excuse, there will be comparatively little disposition on the part of the public to back his cause. A man whose inability to manage his business and who injures others should not continue in the business. Enforcing standards in such a case will not only safeguard the health and lives of tenants but will also protect neighboring property values. But when deterioration is due to changes that blight a whole neighborhood, those who can not see beyond immediate cause and effect will be more prone to think that the owner is being hardly used—until the evils of the slum appear. Then, having a more immediate instance of cause and effect before their eyes, they will forget their former ill-timed sympathy and excrete him as a spoiler of the poor.

The older parts of our cities must be accepted in large measure as they are, ill-planned to meet the changes that accompany growth. The one-time fine residence districts were platted with but the thought of meeting the desires of their then owners. The deep lots, the spacious single-family dwellings that are characteristic, become burdens when tenants of smaller means move in. They become, in the owner's view, impossible when the unskilled wage-earner succeeds the salaried man. And under the old régime the owner's view was the only view. Cheap new buildings filled the old yards, the old mansions were subdivided in the cheapest way to take in the greatest possible number of families. So the total income from the property increased rather than diminished, but the city found its bills for the maintenance of police and health departments mounting while the work for them to do constantly exceeded their resources. When at last the limit was reached the slum had become not only a

scandal, but a constant menace to the whole community. Then, too late, began the slow, costly, unsatisfactory work of trying to make bad a little less bad.

Today, with the examples of our older and most crowded cities before us, we can see the folly of letting affairs drift until they become intolerable. There is a new civic spirit which revolts at the thought that a short distance from the homes we show with pride is a slum that we can not ignore. There is a clearer understanding that no part of the community can suffer and the rest go scathless, and beyond all this is the knowledge that somewhere we must set the limit, somewhere we must draw a line and say, "Here the public good demands that standards shall be no further lowered."

That being true, where shall the line be drawn? Wherever it is drawn there will always be some "innocent" investor who has thought to make a profit by lowering standards still further, and who faces loss when he is halted. Some of the worst of New York's old double-decker dumb-bell tenements were owned by the widow, the orphan and the Italian push-cart peddler, who lived in the cellars of their barracks and saw no reason why others should live better than they. Their case was harder by far than would be that of the original owner of a mansion who moves to a newer and more fashionable part of town, renting his old home for a boarding house or sub-dividing it into apartments. So it is with him that the line should be drawn.

Minimum standards must be established that will provide for adequate open space on the lot, light, ventilation, water supply and toilet conveniences, privacy and protection from fire. With these standards established the owner may still find many uses for a property that has outlasted the purpose for which he originally designed it. And, though he may not make as great a profit on its use or its sale as if he had been left entirely to his own devices, he has no legitimate cause for complaint. He has no right to ask that the community suffer in order that he may make a profit out of a change of whim or an error of judgment. Still less cause for complaint has the speculator who, studying the drift of the city's business, holds old residence property for an expected rise in values. Heretofore he has been permitted to do almost as he would, on the score that his houses had but a short expectation of life and that improvements would not yield a profit. It is not a question of whether the

improvements will yield a profit. It is a question of the health and the lives of his tenants and of the community's welfare. If the houses are not worth keeping up to standard, then they should remain uninhabited. The well-being of the tenants is an item that must figure in the speculator's estimates.

In the case of old houses that already have traveled far down the road to the slum and must be brought up to standard, the rule is the same though the enforcement is more difficult. The city can not afford to tolerate conditions that undermine the morals, health or efficiency of its people. Even in the case of houses that complied with the standards in force at the time of their erection or of their conversion to present uses, but do not meet standards that we now know are necessary, the same rule applies—though enforcement may be even more difficult because of false sentiment on the part of the public which does not realize the vital importance of the issue. No landlord has a right to house his tenants in such a way as to endanger them. If the law has been lax and he has acted according to the letter of the law he has no reasonable complaint when the law is made more adequate and so compels him to do what he should have done of his own volition.

The right of the city to enforce higher standards than those obtaining when the conditions complained of were established was settled by the *Moeschen* case.¹ Mrs. Moeschen was a widow and the owner of a New York tenement house, that is, the deed was in her name but she owned an equity of only \$3,500 in the building. The tenement house department, in accordance with the law of 1901, ordered her to close the school sinks in the back yard of her building and substitute indoor water closets. The case was taken into court where it was shown that the school sinks complied with an order of the health department in force at the time they were built. It was also shown that the cost of the improvement might approximate the value of her equity in the building. Yet the courts, up to the Supreme Court of the United States, to which the case was carried, upheld the right of the department to enforce its order, designed as it was to safeguard the health of the people.

The old houses of the future will, we hope, offer us a problem easier of solution than do those of the present. Our cities have be-

¹ 203 U. S. 583.

gun to adopt housing codes, not mere tenement house codes. With a good housing code enforced the old house of the future can not become the menace that its predecessor has been and is. For a housing code covers all dwellings and it sets two standards, one as high as is practicable for existing houses, the other, much higher, for houses still to be erected. So as time goes on and existing houses pass away, as even the worst of them must, the ranks of old houses will be recruited in constantly larger proportion from dwellings that have never been permitted to fall as low as those with which we now are struggling.

Moreover there is hope for us in the rapidly increasing knowledge of city planning. With rare exceptions our cities up to the present have simply "grown" like Topsy, without thought or aim. Our cities in the future will be planned. We shall make use of the experience of the past. We shall no longer lay out new subdivisions with but the single thought of getting as many quick-selling lots as possible. If not the real estate dealer, then the city will take thought of the time when the character of the district will change. The width and direction of new streets will be a matter of community interest. The size of blocks will be figured not merely according to custom or to the convenience of the moment, but with an eye to the time when it will be advantageous to drive new streets between the original ones. The depth of lots will be based upon the possibility of future division. Then new houses may be built upon the rear of the present deep suburban lots, facing the new streets, the sites of which will have been kept free from buildings so that they may be converted at a minimum cost. Residence districts will be safeguarded from the intrusion of business and industry, which will be confined to those sections of the city best fitted for them.²

² J. C. Nichols, of Kansas City, Mo., states that "A little more emphasis might be laid upon the economic burden, in dollars and cents, that every city carries in its abandoned home districts. I have sometimes wondered if this did not amount to several hundred million dollars a year. For instance, I believe in many western cities, this loss is several million dollars a year, and taking it all over the country, it certainly is enormous. Perhaps when you consider this phase, it impresses a little more strongly the importance of protecting residence districts from the intrusion of business and industry as you suggest, and will lessen the number of old houses which give the occasion of your argument."

So we shall have greater elasticity in our future cities and at the same time greater stability. When it is practicable to utilize the backs of deep lots in a wholesome way one of the greatest temptations to bad old housing will be removed. When it is possible to protect a residence district from the intrusion of the business and industry that have so often blighted them, there will not be so many old houses converted to uses for which they are ill-fitted. Then the problem of the old house will have become comparatively easy of solution.